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Attorneys for Intervenor

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

HIGHLAND PARK CDO I GRANTOR
TRUST, SERIES A,

Plaintiff,

v.

MATTHEW STUDER, FRED GRAFT,
ERNIE MALAS, AND PETER
CORATOLA,

Defendants.

Civil Action No. 08 CV 01670

Hon. Naomi Reice Buchwald

NOTICE OF MOTION
OF SENIOR LENDER TO
INTERVENE AND TO
DISMISS COMPLAINT OF
MEZZANINE LENDER

Please take notice that, pursuant to Federal Rules of Civil Procedure 12 and 24, Intervenor Wells Fargo Bank, N.A., as Trustee for the Morgan Stanley Capital I Inc. Commercial Mortgage Pass-Through Certificates Series 2006-XLF (“Intervenor”) will move this Court before the Hon. Naomi Reice Buchwald, 500 Pearl Street, Courtroom 14-B, New York, New York, intervene and to dismiss the complaint of the mezzanine lender in the above-captioned action.

Dated: New York, New York
June 10, 2008

Respectfully submitted,

MILLER, CANFIELD, PADDOCK AND STONE, P.L.C.

By: s/Gregory L. Curtner

Gregory L. Curtner (GC 5395)

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CERTIFICATE OF SERVICE

I hereby certify that on June 10, 2008, I electronically filed the foregoing paper with the Clerk of the court using the ECF system, which will send notification of such filing to the following:

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s/Gregory L. Curtner

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